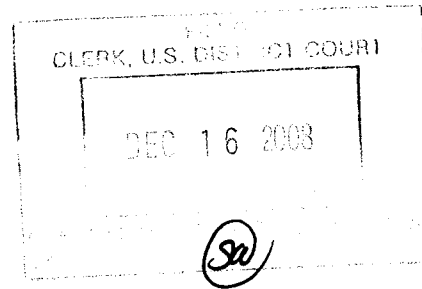


6-5ard



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

United States of America, ) No. 08-MJ-03035  
Plaintiff, ) ORDER OF DETENTION AFTER  
v. ) HEARING  
Eva P. De Villagomez, ) (18 U.S.C. § 3142(i))  
Defendant. )

I.

- A. ( ) on motion of the Government involving an alleged
1. ( ) crime of violence;
  2. ( ) offense with maximum sentence of life imprisonment or death;
  3. ( ) narcotics or controlled substance offense with maximum sentence of ten or more years (21 U.S.C. §§ 801, 951, et. seq., 955a);
  4. ( ) felony - defendant convicted of two or more prior offenses described above.

B. On Motion ☒ (by the Government)/ ( ) (by the Court sua sponte) involving:

1. ☒ serious risk defendant will flee;
2. ☐ serious risk defendant will
  3. ☐ obstruct or attempt to obstruct justice
  4. ☐ threaten, injure, or intimidate a prospective
  5. witness or juror or attempt to do so.

6 II.

7 The Court finds no condition or combination of conditions  
8 will reasonably assure:

- 9 A. ☒ appearance of defendant as required; and/or
- 10 B. ☒ safety of any person or the community

11 III.

12 The Court has considered:

- 13 A. ☒ the nature and circumstances of the offense;
- 14 B. ☒ the weight of evidence against defendant;
- 15 C. ☒ the history and characteristics of the defendant;
- 16 D. ☒ the nature and seriousness of the danger to any
- 17 person or to the community.

18 IV.

19 The Court concludes:

- 20 A. ☒ Defendant poses a risk to the safety of other persons  
21 or the community because:

22 Defendant's criminal history, including  
23 a crime of violence  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_

1 B. ☒ History and characteristics indicate a serious risk  
2 that defendant will flee because:

3 Defendant's illegal status in the United  
4 States; lack of ties to the Central  
5 District; and no known bail resources.  
6  
7  
8  
9

10 C. ☐ A serious risk exists that defendant will:

11 1. ☐ obstruct or attempt to obstruct justice;

12 2. ☐ threaten, injure or intimidate a witness/juror

13 because:  
14  
15  
16  
17  
18  
19

20 D. ☐ Defendant has not rebutted by sufficient evidence to  
21 the contrary the presumption provided in 18 U.S.C. §  
22 3142(e).  
23

24 **IT IS ORDERED** that defendant be detained prior to trial.

25 **IT IS FURTHER ORDERED** that defendant be confined as far as  
26 practicable in a corrections facility separate from persons  
27 awaiting or serving sentences or persons held pending appeal.  
28

1       IT IS FURTHER ORDERED that defendant be afforded reasonable  
2 opportunity for private consultation with his counsel.

3  
4 Dated: 12-16-08

  
U.S. Magistrate Judge Jennifer T. Lum